

Message Text

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73

ORIGIN EA-14

INFO OCT-01 ISO-00 PM-07 NSC-10 SPC-03 SS-15 RSC-01 VO-03

SCA-01 L-03 PER-05 NSCE-00 CPR-02 SCS-03 CIAE-00

INR-10 NSAE-00 A-01 OPR-02 SAJ-01 /082 R

DRAFTED BY EA/PRCM:ADROMBERG:CED
APPROVED BY D:THE ACTING SECRETARY
EA/PRCM:OVARSTRONG
EA/ROC:RWSULLIVAN (DRAFT)
EA:AWHUMMEL, JR.
SCA/VO:EBDANE (PARA 3 DRFT)
SCA:BMWATSON (DRFT)
L/SCA:KEMALMBORG (DRFT)
DG/PER/CA:AKBLOOD (DRFT)
DG/PER/CA/FS:BGROVES (DRFT)
S/S-MR BARNES
L/EA:MRS VERVILLE (DRFT)
WH - MR SOLOMON

----- 037897

R 061651Z OCT 73
FM SECSTATE WASHDC
TO USLO PEKING
INFO AMEMBASSY TAIPEI
AMCONSUL HONG KONG

C O N F I D E N T I A L STATE 199603

E.O. 11652: GDS
TAGS: CGEN, PFOR, CH
SUBJECT: US-PRC CONSULAR RELATIONS
REF: A) PEKING 1127, B) PEKING 1106, C) PEKING 1161

1. REGARDING QUESTION MFA HAS RAISED ABOUT THE USE OF THE
TERM "CONSULAR RELATIONS", YOU SHOULD INFORM MFA THAT
WE WOULD HOPE TO BE ABLE TO AVOID USE OF THAT TERM IN MOST
CASES, EVEN IF QUERIED BY A COURT. AS WE HAVE NOTED PRE-
VIOUSLY, HOWEVER, IF WE ARE PRESSED FOR A DIRECT "YES" OR
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"NO" ANSWER TO THE QUESTION ABOUT THE EXISTENCE OF SUCH

RELATIONS WE WOULD HAVE TO ANSWER AFFIRMATIVELY. EVEN IN THIS EVENT, IT IS POSSIBLE THAT THE ANSWER WOULD NOT/NOT BECOME PUBLIC, BUT WE COULD NOT/NOT GUARANTEE THAT.

2. IT SHOULD BE POINTED OUT TO THE MFA THAT THIS IS NOT/NOT AN UNIMPORTANT MATTER. EITHER USG OR PRC DENIAL OF THE EXISTENCE OF "CONSULAR RELATIONS" COULD AFFECT THE LEGALITY (IN VIEW OF US COURTS) OF CERTAIN ACTIONS TAKEN BOTH BY US OFFICIALS PERFORMING CONSULAR FUNCTIONS IN PEKING AND BY PRC OFFICIALS PERFORMING CONSULAR FUNCTIONS IN THE UNITED STATES. THUS IT WOULD BE IN OUR MUTUAL INTEREST NOT/NOT TO HAVE ANY PARTY DIRECTLY DENY THE EXISTENCE OF SUCH RELATIONS. WE WOULD HOPE THAT IF WE WERE FORCED TO MAKE A DIRECT STATEMENT REGARDING US-PRC "CONSULAR RELATIONS", THE PRC WOULD NOT/NOT VOLUNTEER A

DEMURRER AND IF ASKED WOULD PHRASE ITS RESPONSE IN SUCH A WAY AS TO AVOID A DIRECT DENIAL. YOU SHOULD STATE THAT WE UNDERSTAND THE PRC'S CONCERNS ON THIS ISSUE; WE HOPE THAT THEY UNDERSTAND OURS.

3. AS REGARDS THE APPEARANCE OF THE TITLE "CONSULAR OFFICER" ON THE PROTECTOGRAPH STAMP USED FOR ISSUANCE OF VISAS, USLO IS HEREBY AUTHORIZED TO REMOVE THE TITLE FROM THE STAMP (E.G., BY TAMPING DOWN THE RELEVANT LETTERS SO THAT THEY DO NOT APPEAR ON THE VISA). NO OTHER TITLE NEED BE SUBSTITUTED. INS IS BEING NOTIFIED OF THIS PROCEDURE.

4. DEPARTMENT CONCURS IN USLO RECOMMENDATION (PARA 7, REF A) CONCERNING EXCHANGE OF NOTES.

5. ASSUMING NOTHING COMES UP IN MEETING WHICH SUGGESTS FURTHER CONSIDERATION IS NECESSARY, USLO SHOULD INFORM MFA THAT THE UNITED STATES AGREES TO PROCEED TO HANDLE CONSULAR AFFAIRS IN ACCORDANCE WITH OUR DISCUSSIONS AND THAT USLO WILL BE SENDING NOTE TO MFA DESIGNATING MR. BLACKBURN. (NOTE: USLO SHOULD AT THE SAME TIME SUBMIT TO MFA MEMORANDUM ON CONSULAR FUNCTIONS.)

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6. PERSONNEL IS PROCESSING NECESSARY INTERNAL PAPERS TO DESIGNATE BLACKBURN, LILLEY AND HOLDRIDGE AS USLO OFFICERS WHO WILL PERFORM CONSULAR FUNCTIONS.

7. FYI: LISTING OF CONSULAR DISTRICTS IN FOREIGN AFFAIRS MANUAL WILL READ:

CHINA (EA) (UNDERLINED)

TAIPEI (E)

ALL OF TAIWAN

PENGHU ISLANDS

QUEMOY, MATSU AND ASSOCIATED ISLETS

PEKING (LO)

ALL AREAS OTHER THAN TAIPEI CONSULAR DISTRICT

8. PLEASE REPORT MFA REACTION.

RUSH

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NNN

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